



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
<http://www.epa.gov/region08>

JUN 20 2001

07123VIC-V

Ref: 8P-W-GW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gary Miller
Colorado Division of Wildlife
317 West Prospect
Fort Collins, Colorado 80525

RE: Underground Injection Control (UIC)
Shallow Injection Well Program
(EPA File #CO5000-04915)

Dear Mr. Miller:

Thank you for contacting the Environmental Protection Agency's (EPA) Shallow Injection Well (Class V) Program to indicate that you currently operate or plan to construct at least one (1) Class V disposal system and, therefore, are regulated under the Underground Injection Control (UIC) Program (Title 40 Code of Federal Regulations {40 CFR} Parts 144 and 146). You indicated that you are operating or plan to construct at least one (1) disposal system which the EPA classifies as an industrial disposal well. An industrial disposal well is any waste disposal system that receives fluid waste (including leaks or spills) generated by industrial, laboratory, commercial, or utility operation and maintenance processes. Septic tanks, dry wells, cesspools, drain fields, and any other type of disposal system that allow such fluids to move into ground water, are considered shallow industrial disposal wells.

EPA ground water studies have shown that waste discharged through industrial disposal wells may be harmful to underground sources of drinking water. Under UIC regulations 40 CFR Part 144.12(c) and (d), EPA is requiring that you apply for a UIC permit. Please note that subsurface disposal of domestic waste through systems serving fewer than twenty (20) persons/day is not regulated by the EPA.



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You must do one of the following and respond within thirty (30) days of receipt of this letter:

1. If you have an **existing Class V well**, submit a written schedule for retrofitting the facility and/or plugging the drains, and an alternative disposal plan for your waste fluids. The retrofitting or plugging must be completed **prior to November 22, 2001, and included in this schedule**. The enclosed list of "Alternative Methods of Disposing of Industrial Wastes", includes some acceptable methods of alternative disposal, and closing or retrofitting your disposal system(s).

Upon receipt of the written schedule and alternative disposal plan, EPA will review them and contact you within one week if any modifications are needed. Once the closure or retrofitting has been accomplished, documentation must be provided including an as-built sketch of the drain system(s) showing where changes have been made. The drain system(s) must be closed or retrofitted in a manner that will prevent future use.

OR

2. If you do not believe that the waste you drain into your septic tank, dry well, sump, or cesspool endangers ground water, you must provide the EPA with an analysis of the fluids entering your floor drain(s) accompanied by a completed permit application (an application form is enclosed). To obtain a representative sample of the fluids from the floor drain(s), procedures from the enclosed "Proper Handling of the Fluid Sample" must be used. The analysis must include the constituents listed on the enclosed "List of Constituents to be Analyzed and EPA Testing Methods" using the testing methods indicated. As part of the instructions for completing the permit application, please include items H, K, M, N, O, P, Q, and U. If the fluid analysis shows any constituent to be above the legal limit for drinking water or other health-based standards, the permit will be denied and you will be required to take other measures to dispose of your waste as outlined above. A list of drinking water standards for some industrial disposal well-related constituents is also enclosed for your reference. **You must provide a completed permit application form and a sample analysis of the fluid entering your floor drain(s) within thirty (30) days of receipt of this letter for continued use of your existing Class V disposal system.** (Please be advised that quarterly analysis of fluids will be a permit condition.)
3. If your Class V well is **not yet constructed**, please follow the instructions under #2 above, but provide EPA with the analysis of the fluids entering your floor drain(s) within 3 months after receiving the final permit. The final permit will indicate the time frame for submitting the first report of analytical results and subsequent reports.

